

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

Plaintiff,

v.

B4B EARTH TEA LLC, a limited liability
company;

B4B CORP., a corporation; and

ANDREW MARTIN SINCLAIR, individually
and as an officer of B4B EARTH TEA LLC and
B4B CORP.,

Defendants.

Civil Action No.: 22-CV-1159

(Vitaliano, J.)

(Levy, M.J.)

**UNITED STATES' NOTICE OF MOTION AND
MOTION TO DISMISS DEFENDANT'S COUNTERCLAIM**

PLEASE TAKE NOTICE THAT, upon the accompanying memorandum of law, and upon all pleadings and proceedings herein, the United States of America moves the Honorable Eric N. Vitaliano, United States District Judge, Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York, for dismissal of Defendant's Counterclaim, in its entirety, with prejudice, pursuant to Fed. R. Civ. P. 12(b).

The United States respectfully requests that this Court dismiss Defendant Sinclair's counterclaim in its entirety, with prejudice, and for such other and further relief as this Court deems just and proper.

Dated: February 27, 2024

Respectfully submitted,

FOR THE UNITED STATES OF AMERICA:

BREON PEACE
United States Attorney

/s/
MICHAEL S. BLUME
Assistant United States Attorney
United States Attorney's Office
271 Cadman Plaza East, 7th Floor
Brooklyn, New York 11201
Telephone: (718) 254-6479
Email: Michael.Blume@usdoj.gov

BRIAN M. BOYNTON
Acting Assistant Attorney General

ARUN G. RAO
Deputy Assistant Attorney General

AMANDA N. LISKAMM
Director
Consumer Protection Branch

LISA K. HSIAO
Senior Deputy Director
Consumer Protection Branch

ZACHARY A. DIETERT
Assistant Director
Consumer Protection Branch

/s/
JAMES T. NELSON
Senior Trial Attorney
Consumer Protection Branch
U.S. Department of Justice
450 5th Street, NW, Suite 6400-S
Washington, DC 20001
Telephone (Nelson): (202) 616-2376
Telephone (Dietert): (202) 616-9027
Facsimile: (202) 514-8742
Email: James.Nelson2@usdoj.gov
Email: Zachary.A.Dietert@usdoj.gov